

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BLUEFIELD

BETTY SUE MEADOWS,

Plaintiff,

v.

CIVIL ACTION NO. 1:13-20611

CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,

Defendant.

**MEMORANDUM OPINION AND ORDER**

By Standing Order, this action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of findings and recommendation regarding disposition pursuant to 28 U.S.C. § 636(b)(1)(B). Magistrate Judge Tinsley submitted to the court his Findings and Recommendation ("PF&R") on August 29, 2014, in which he recommended that the court deny plaintiff's brief in support of the complaint, deny defendant's brief in support of defendant's position, reverse the final decision of the Commissioner, and remand the case to the Commissioner for further proceedings as outlined in the PF&R.

In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted fourteen days and three mailing days in which to file any objections to Magistrate Judge Tinsley's Proposed Findings and Recommendation. The failure of any party to file such objections within the time allowed constitutes a

waiver of such party's right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

Neither party filed any objections to the Magistrate Judge's Findings and Recommendations within the required time period. Accordingly, the court adopts the Findings and Recommendations of Magistrate Judge Tinsley as follows:

1. Plaintiff's brief in support of the Complaint is **DENIED**;
2. Defendant's brief in support of the Commissioner's decision is **DENIED**;
3. The final decision of the Commissioner is **REVERSED**;
4. The case is **REMANDED** to the Commissioner for further proceedings as outlined in the Proposed Findings and Recommendation; and
5. This Clerk is directed to remove this case from the court's active docket.

The Clerk is directed to forward a copy of this Memorandum Opinion and Order to counsel of record.

**IT IS SO ORDERED** this 16th of September, 2014.

ENTER:

A handwritten signature in black ink, appearing to read "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge